

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

The specification and abstract have been reviewed and revised to improve their English grammar. The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification and abstract, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

Claims 5 and 12 were objected in view of various informalities identified by the Examiner. Claims 5 and 12 have been cancelled without prejudice or disclaimer of the subject matter contained therein. Therefore, withdrawal of this objection is respectfully requested.

The title of the invention has been amended. The invention is now titled "PLAYBACK APPARATUS."

Claims 1-14 have been cancelled without prejudice or disclaimer of the subject matter contained therein and replaced by new claims 15-21. The new claims have been drafted to include features which distinguish the present invention from the references relied upon in the rejections discussed below.

Claim 12 was rejected under 35 USC § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. However, this rejection is believed clearly inapplicable to new claims 15-21 since the new claims have been drafted specifically to avoid the problems identified by the Examiner and to otherwise comply with the requirements of 35 U.S.C. § 112, second paragraph. Therefore, withdrawal of this rejection is respectfully requested.

Claims 1-5, 8, and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yamada et al. (U.S. 6,141,483). Further, claims 6, 7, 9-11, 13, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of Tsuga et al. (U.S. 5,691,972). These rejections are believed clearly inapplicable to new claims 15-21 for the following reasons.

New independent claim 15 recites a playback apparatus (having an apparatus region code assigned thereto) for playing back an optical disc having a disc region code assigned thereto, the playback apparatus including, in part, (1) a secondary recording medium including a disc corresponding region operable to have additional data, which corresponds to the optical disc, recorded thereon. Further, claim 15 recites a playback unit that is operable to not play back the content when a judging unit judges that the disc region code does not match the apparatus region code, (2) unless an exceptional playback is authorized. In addition, claim 15 recites that (3) the exceptional playback is a playback of a virtual package created by combining at least some of the content recorded on the optical disc and at least some of the addition data from the disc corresponding region that corresponds to the optical disc, wherein the exceptional playback is authorized when a combination of a content identifier, of the content recorded on the optical disc, and the apparatus region code satisfies a predetermined condition. The Yamada and Tsuga references, or any combination thereof, fail to disclose or suggest the above-mentioned distinguishing features (1)-(3) as recited in independent claim 15.

Rather, Yamada teaches various reproducing means for reproducing data only from a recording medium when certain conditions are satisfied (see abstract and col. 3, line 50 – col. 4, line 22). Specifically, Yamada teaches that reproduction of the data recorded on the recoding medium is performed if (i) a region code of the recording medium matches the apparatus code of the playback apparatus, (ii) a certain amount of time has not expired from the formation of the data on the recording medium, and (iii) a certain condition is satisfied between specific data recorded on the recording medium and specific data set in the playback apparatus (see col. 3, line 50 – col. 4, line 22).

Thus, in view of the above, it is clear that Yamada teaches that reproduction of the data recorded on the recording medium is performed if conditions (i) – (iii) are satisfied, but does not disclose or suggest the playback apparatus for playing back content from an optical disc and including a secondary recording medium including a disc corresponding region operable to have additional data, which corresponds to the optical disc, recorded thereon, as required by independent claim 15.

Further, in view of the above, it is apparent that Yamada fails to disclose or suggest a playback unit that is operable to not play back the content (when a judging unit judges that a disc region code does not match an apparatus region code), unless an exceptional playback is authorized, as recited in independent claim 15.

Moreover, Yamada does not disclose or suggest the exceptional playback, which is a playback of a virtual package created by combining at least some of the content recorded on the optical disc and at least some of the addition data from the disc corresponding region (of the secondary recording medium) that corresponds to the optical disc, as required by independent claim 15.

In addition, Tsuga teaches a DVD player which selects different video objects (VOBs) recorded onto a DVD based on parental rights, language setting, or regional settings, which are selected by a user of the DVD player. Specifically, depending upon the parental rights, language, or regional code selected by the user, the DVD player will play back a different version of movie by selecting and arranging appropriate VOBs from the DVD into an appropriate order (see Figs. 5, 8A, 8B, and 8C).


Thus, it is clear that Tsuga teaches a specific version of a movie is played back from a DVD based on an appropriate arrangement of VOBs, but does not disclose or suggest the secondary recording medium, the exceptional playback, and the creation of the virtual package by combining at least some of the content recorded on the optical disc and at least some of the addition data from the disc corresponding region (of the secondary recording medium) that corresponds to the optical disc, as required by independent claim 15.

Therefore, because of the above-mentioned distinctions it is believed clear that claim 15 and claims 16-21 which depend therefrom would not have been obvious or result from any combination of Yamada and Tsuga. Furthermore, there is no disclosure or suggestion in Yamada and/or Tsuga or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Yamada and/or Tsuga to obtain the invention of independent claim 15. Accordingly, it is respectfully submitted that independent claim 15 and claims 16-21 which depend therefrom are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

Noriko SUGIMOTO et al.

By: 
Andrew L. Dunlap
Registration No. 60,554
Attorney for Applicants

ALD/krg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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